

STATE OF WASHINGTON

MIKE KREIDLER
STATE INSURANCE COMMISSIONER



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of

Cameron M. Wendt,

Licensee.

No. D 05 - 15

ORDER REVOKING LICENSE

DECLARATION OF MAILING

Phone: (360) 785-7000
I certify under penalty of perjury
Under the laws of the State of
Washington that on the date listed
below, I mailed or caused delivery
of a true copy of this document to

DATED this 26th day of Jan, 2005
At Tumwater, Washington

Signed

Patricia D. Petersen
FILED

MAR 15 2005

Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

To: Cameron M. Wendt
4009 NE 118th Street
Vancouver, Washington 98686

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your licenses are REVOKED, effective February 15, 2005, pursuant to RCW 48.17.530 and 48.17.540(2).

THIS ORDER IS BASED ON THE FOLLOWING GROUNDS:

1. Cameron M. Wendt (licensee) completed an application for an agent's license, dated March 11, 2003 (application received by OIC September 8, 2003). The licensee answered "no" to the question "Have you ever been convicted of a felony?"
 - a. Fingerprint reports were received from the FBI and the WSP. The reports revealed that on May 24, 1999 the licensee was convicted of forgery and bail jumping, both class "C" felonies. The licensee was sentenced to 60 days in jail, two years probation, and a \$500 fine.
2. Cheryl Penn, investigator with the Office of the Insurance Commissioner (OIC), sent the licensee letters dated February 17, 2004, March 16, 2004 and April 19, 2004 asking the licensee to provide OIC a written statement regarding his false statement on the application and all court records regarding the convictions. The licensee faxed a written response dated April 6, 2004 (received by OIC on May 6, 2004).
3. On May 11, 2004, Ms. Penn sent the licensee a letter informing him of the requirements of 18 U.S. C. § 1933 and advising him to obtain a "Letter of Written Consent" from the Oregon Division of Insurance. He was given until June 23, 2004 to provide the letter. Second and third requests were mailed to the licensee on June 28, 2004 and July 26, 2004. On July 30, 2004 telephone contact was made with the licensee. He was verbally informed of the requirement to provide a letter of written consent. He was given an extended deadline of September 10, 2004. The licensee was subsequently given two additional extended deadlines – October 25, 2004 and November 29, 2004.
4. On November 9, 2004, the licensee called and reported that he was no longer a resident of Oregon, because he'd moved to Vancouver, Washington. On that date instructions were mailed to the licensee informing him of how to convert his non-resident license to a resident license. He was also advised that he would need to request a "Letter of Written Consent" from the Washington Insurance Commissioner's Office. The licensee was given until December 14, 2004 to provide the requested information/documentation. On December 17, 2004, a telephone call was placed to the

ORDER REVOKING LICENSE

No. D 05 - 15

Page 2

licensee. He responded that he was "working on it". He was given to January 3, 2005 to comply with OIC's request or subject his license to revocation. As of January 24, 2005, the licensee still maintains a resident license in the State of Oregon.

5. The false statement on the application violates RCW 48.17.090 (3) and shows the licensee to be untrustworthy or incompetent or a source of injury and loss to the public and not qualified for a license, within the meaning of RCW 48.17.070. It is also grounds for revocation under RCW 48.17.530(1) (a), (c), and (h).
6. The fact that the licensee has a felony conviction, but failed to obtain a "Letter of Written Consent" from either the Oregon Division of Insurance or the Washington State Insurance Commissioner is a violation of 18 U.S. C. § 1933. It is also grounds for revocation under RCW 48.17.530(1) (h).
7. The licensee's failure to respond to repeated requests made by the Insurance Commissioner is in violation of RCW 48.17.475, and is further grounds for revocation.

IT IS FURTHER ORDERED that you return your insurance agent's license certificate or certificates to the Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4).

NOTICE CONCERNING YOUR RIGHT TO A HEARING. Please note that a detailed summary of your right to contest this Order is attached. Briefly, if you are aggrieved by this Order, RCW 48.04.010 permits you to demand a hearing. Pursuant to that statute and others: You must demand a hearing, in writing, within 90 days after the date of this Order, which is the day it was mailed to you, or you will waive your right to a hearing. Your demand for a hearing must specify briefly the reasons why you think this Order should be changed. If your demand for a hearing is received by the Commissioner before the effective date of the revocation, then the revocation will be stayed (postponed) pending the hearing, pursuant to RCW 48.04.020. Upon receipt of your demand for hearing, you will be contacted by an assistant of the Chief Hearing Officer to schedule a teleconference with you and the Insurance Commissioner's Office to discuss the hearing and the procedures to be followed.

Please send any demand for hearing to Insurance Commissioner, attention Scott Jarvis, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257.

ENTERED AT TUMWATER, WASHINGTON, this 26th day of January, 2005.

MIKE KREIDLER
Insurance Commissioner

By


SCOTT JARVIS
Deputy Commissioner

Investigator: Cheryl Penn

NOTICE OF YOUR RIGHT TO A HEARING

You have the right to demand a hearing to contest this Order. During this hearing, you can present your argument that the Order should not have been entered for legal and/or factual reasons and/or to explain the circumstances surrounding the activities which are the subject of this Order. You may be represented by an attorney if you wish, although in some hearings before this agency parties do choose to represent themselves without an attorney.

Your Demand for Hearing should be sent to Scott Jarvis, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257, and must briefly state how you are harmed by this Order and why you disagree with it. You will then be notified both by telephone and in writing of the time and place of your hearing. If you have questions concerning filing a Demand for Hearing or the hearing process, please telephone the Hearings Unit, Office of the Insurance Commissioner, at 360/725-7002.

Your Demand for Hearing must be made within 90 days after the date of this Order, which is the date of mailing, or your Demand will be invalid and this Order will stand. If your Demand for Hearing is received before the effective date of this Order, the penalties contained in the Order will be stayed (postponed) until after your hearing.

It is important to know that if you demand a hearing, you will have two options for how it will be handled:

Option 1: Unless you specifically request Option 2, your hearing will be presided over by an administrative law judge from the Office of the Insurance Commissioner. Under this option, upon receipt of your Demand for Hearing, the Insurance Commissioner may refer the case to an administrative law judge. The administrative law judge is an individual who has not had any involvement with this case. The administrative law judge will hear and make the final decision in the case without any communication, input or review by the Insurance Commissioner or staff or any other individual who has knowledge of the case. This administrative law judge's final decision may uphold or reverse the Commissioner's action or may instead impose any penalties which are less than those contained in the Order.

Option 2: If you elect, your hearing will be presided over by an administrative law judge from the Office of Administrative Hearings. That administrative law judge will issue an initial or recommended decision which will then be sent to the Insurance Commissioner. The Insurance Commissioner, or his designee, will review the initial decision and make the final decision. The Insurance Commissioner's final decision in the case may uphold, reverse or modify the initial decision, thereby changing the penalty which is recommended in the initial decision. In writing the final decision, the Insurance Commissioner is not bound by the findings of facts or conclusions of law which were made in the initial decision.